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Attorney for Objectors **MS. LESBI MARTINEZ-MARTINEZ**
and **EGLA VELASQUEZ MOLINA**

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

MS. L., *et al.*,

Plaintiffs,

v.

U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT (“ICE”), *et al.*,

Defendants.

No. 3:18-cv-00428-DMS-MDD

CLASS ACTION

**STATUS REPORT OF OBJECTORS
LESBI NOHEMI MARTINEZ-
MARTINEZ AND EGLA
VELASQUEZ MOLINA**

1 Pursuant to the Court's instructions at the November 15, 2018 Fairness
2 Hearing on the Class Action Settlement, Objectors Lesbi Nohemi Martinez-
3 Martinez and Egla Velasquez Molina hereby submit their Status Report to the
4 Court.

5 At the November 15, 2018 Hearing, the Court overruled, without prejudice,
6 the objections of Ms. Martinez and Ms. Molina. The Court directed the Parties to
7 meet and confer regarding whether a negotiated resolution of their disputes should
8 be pursued. The Court then stated as follows:

9 I do think there are issues about how a parent should be understood in
10 the context of family separation. As the government suggested, those
11 raise additional issues beyond what this court has already decided. *So*
12 *what we would just respectfully ask is that you decide that these*
13 *individuals are not part of the settlement today that you leave open the*
14 *question of whether they can ultimately be included in the Ms. L*
15 *reunification litigation.* That could be taken up at a later time, if
16 anybody wants to take that up.

17 (Transcript of November 15, 2018 Fairness Hearing, at p. 18.)

18 Counsel for Ms. Martinez and Ms. Velasquez Molina and counsel for
19 Defendants have met and conferred on the issues raised by the claims for relief of
20 Ms. Martinez and Ms. Velasquez Molina. Defendants have not agreed to
21 administer *de novo* credible fear interviews to either Ms. Martinez or Ms.
22 Velasquez Molina, and the Parties are at impasse. Ms. Martinez and Ms.
23 Velasquez Molina, therefore, accept the Court's invitation to pursue the merits of
24 their claims before this Court.

25 Ms. Martinez and Ms. Velasquez Molina understand that Plaintiffs in this
26 case will propose a briefing schedule to the Court within the next 7–10 days
27 addressing the best manner in which to adjudicate claims by legal guardians who
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1 were forcibly separated from their children. Counsel for Ms. Martinez and Ms.
2 Velasquez Molina will meet and confer with Plaintiffs' and Defendants' counsel to
3 coordinate briefing and proposed scheduling on these issues.

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5 DATED: November 29, 2018 KING & SPALDING LLP
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8 By: /s/ Martin M. McNerney

9 Martin M. McNerney (*pro hac vice*)
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17 *Attorney for Objectors Ms. Martinez*
18 *and Ms. Velasquez Molina*
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CERTIFICATE OF SERVICE

I hereby certify that I have this 29th day of November, 2018, served a copy of the foregoing via the Court's CM/ECF on all counsel of record.

/s/ Martin M. McNerney
Martin M. McNerney (*pro hac vice*)
KING & SPALDING LLP